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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,874	03/26/2001	Chad D. Quist	DON01 P-889	7627
28101	7590	02/27/2004	EXAMINER	
VAN DYKE, GARDNER, LINN AND BURKHART, LLP 2851 CHARLEVOIX DRIVE, S.E. P.O. BOX 888695 GRAND RAPIDS, MI 49588-8695			LAO, LUN YI	
		ART UNIT		PAPER NUMBER
		2673		13
DATE MAILED: 02/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

PPO

Office Action Summary

	Application No.	Applicant(s)
	09/817,874	QUIST ET AL.
	Examiner Lao Y Lun	Art Unit 2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 January 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-85 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
- 1.) Certified copies of the priority documents have been received.
- 2.) Certified copies of the priority documents have been received in Application No. _____.
- 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| <p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.</p> | <p>4)<input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____.</p> |
|---|---|

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-8, 15-20, 28-34, 41-48, 51, 53, 55, 58-59, 61-67 and 73-85 are rejected under 35 U.S.C. 103(a) as being anticipated by Ul Azam et al(5,566,224) in view of Inoue et al(6,332,024).

As to claims 1, 3-8, 15-20, 28-34, 41-48, 51, 53, 55, 58-59, 61-67 and 73-85, Ul Azam et al teach an interactive a vehicular mirror system comprising an interior rearview mirror assembly having a mirror casing and a reflective element with a rearward field of view (see figure 2; column 3, lines 60-67 and column 4, lines 54-57); a display(108)(see figures 1-2; column 3, lines 33-36); and a user actuatable selector element associated with a function and located at the reflective element(see figure 2; column 4, lines 61-68; column 5, lines 1-9 and lines 51-61; and column 9, lines 33-35).

As to claim 1, Ul Azam et al teach a display(108) provided at interior rearview reflective mirror(109)(see figures 1-2; column 3, lines 33-45 and column 9, lines 3-10) and the display(108) being generated in response to the user selector element(touch sensitive

element) being actuated by the user(see figures 1-2; column 4, lines 58-68; column 3, lines 33-45 and column 5, lines 1-12).

As to claims 1, 7, 15-18, 28-34, 41 and 51, UI Azam et al fail to disclose a display element and a selector element having a cognitive relationship.

Inoue et al teach a display element or first and second display elements(2A) and a selector element or first and second touch sensitive elements(4A or 4B or 3) having a cognitive relationship established by actuation of the user elector element(4A or 4B or 3) and generating of display(see figures 1A, 4A-10A; column 6, lines 3-68; column 7 and column 8, lines 1-46). It would have been obvious to have modified UI Azam et al with the teaching of Inoue, so as the number of required entry keys could be reduced(see column 4, lines 4-7) and the user would be more quickly to find the function of a selector element.

As to claim 3, UI Azam et al teach the reflective element is electrochromic mirror(see figure 1; column 3, lines 39-45)

As to claims 4-8, 19, 32, 34, 59 and 66, UI Azam et al tech the selector element is provided on au outer surface, a lower portion or perimeter portion of the reflecting element(209)(see figure 2; column 4, lines 62-68; column 5, lines 1-9 and lines 51-61 and column 9, lines 33-35).

As to claims 7, 33, 64, 65, 83 and 85, Inoue et al teach a touch sensitive element associated with more than one function(see figures 4A-4E) .

As to claims 16, 62, 67, 75 and 84, Inoue et al teach a display element having an icon(I)(see figures 4A-10A and column 7, lines 25-32).

As to claims 17-18, 42-43, 63 and 80, Ul Azam et al teach a display(108) is an LCD display which has a transparent state(see column 3, lines 28-32).

As to claims 20, 31 and 81-82, Ul Azam et al teach a reflector(109, or 209, electrochromic mirror) is semi-transparent reflector and a display(108 or 208) located behind the reflector(109 or 209)(see figure 1-2 and column 3, lines 39-45).

As to claims 45-47, 58 and 76, Ul Azam et al teach a mirror system comprising a rearward field of view image(see figure 2 and column 4, lines 54-57); a telephone information display and scrolling images(see figure 2 and column 5 and 3-9).

As to claim 51, Ul Azam et al teach the reflective element is electrochromic reflecting element(109)(see figure 1; column 3, lines 39-45)

As to claim 55, Ul Azam et al teach a mirror system comprising a rearward field of view image(see figure 2 and column 4, lines 54-57).

As to claims 73-74, Ul Azam et al teach a display having an alpha-numeric image and a multi-pixel display(see figure 2 and column 3, lines 28-32) .

As to claims 44 and 77- 79, Ul Azam et al teach a fixed display and a scrolling display(telephone number area for displaying video images(see figure 2; column 3, lines 21-32 and column 5, lines 3-7) .

As to claims 44 and 77-79, Inoue et al teach a fixed display and a scrolling display for display video images(figure 15) (see figures 1A, 15 and column 17, lines 44-67) .

As to claim 75, Inoue et al teach display element displays a family of display functions(see figures 4A-4E) .

3. Claims 2, 7, 21, 54 and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ul Azam et al(5,566,224) in view of Inoue et al(6,332,024) and DeLine et al(6,124,886).

As to claims 2, 7, 21, 54 and 56-57, Ul Azam et al teaches the reflecting element(109) is an electrochromic reflecting element(see figure 1 and column 3, lines 39-45). Ul Azam et al fail to disclose the reflecting element having a prismatic reflecting element.

DeLine et al teaches the reflecting element(14) is a prismatic reflecting element(see figure 1 and column 8, lines 15-17). It would have been obvious to have modified Ul Azam et al with the teaching of DeLine, since DeLine et al has disclosed the reflecting element could be a prismatic reflecting element or an electrochromic reflecting element(see DeLine's column 33, lines 15-26) and a prismatic reflecting element would be more common and economic than the electrochromic reflecting element.

As to claim 7, DeLine et al teach a display element associated with more than one function(telephone or temperature or clock, etc.)(see figure 47; column 29, lines 11-27 and column 31, lines 13-22).

As to claim 21, DeLine et al teach a reflector(see figures 30, 31) having a metal coating(294) and a transparent conductor(ITO)(see figures 30-31; column 18, lines 10-30 and column 21, lines 24-27).

As to claim 54, DeLine et al teach display image is selected from the group a telephone conference image(video telephone); a highway status information image; a blind spot information image; a hazard

warning information image; a vehicle status information image; a page messaging information image; a speedometer information image; a tachometer information image; a remote transaction information image; an audio system information image; a fuel gauge information image; a heater control information image; a ventilation system information image; a status of inflation of tires information image; a trailer tow image; an e-mail message information image; a compass information image; an engine coolant temperature information image; an oil pressure information image; a cellular phone operation information image; a global positioning system information image; a weather information image ; a temperature information image; a traffic information image; a telephone number information image; fuel status information image; battery condition information image; time information image and stock information image(see figure 47; column 27, lines 59-68; column 28-34 and column 35, lines 1-52).

As to claim 56, DeLine et al teach an image capturing device(CCD)(see figure 47 and column 30, lines 5-19).

As to claim 57, DeLine et al teach an image capturing device could be mounted on a sideview mirror(see figure 47; column 32, lines 47-68 and column 33, lines 1-6).

4. Claims 9-14, 22-25, 27, 35-40, 60 and 69-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ul Azam et al(5,566,224) in view of Inoue et al and Ide et al(4,707,570).

As to claims 9-14, 22-25, 27, 35-40, 60 and 69-72, Ul Azam et al as modified fail to point out the structure of the touch sensitive element.

Ide et al teach a transparent touch sensitive pad comprising a plurality of stacked transparent conductive coating(indium tin oxide(ITO), 22A, 24A))(see figures 1-6); column 3, lines 23-32; column 5, lines 5-24 and column 6, lines 5-29). It would have been obvious to have modified Ul Azam et al as modified with the teaching of Ide et al, since Ul Azam et al has disclosed a system having an LCD display and a sensing function(see figures 1-2; column 3, lines 28-32; column 5, lines 3-9 and lines 51-61; and column 9, lines 33-35); Ide et al have disclosed a touch sensitive pad placed over an LCD display to perform a touch sensing function and a user could more clearly see how the system sensing a touch point.

As to claims 23-25, Ul Azam et al teach an LCD display(108) or LED display(108) and the display(108) located behind the reflecting element(109)(see figure 1, and column 3, lines 29-45).

As to claims 69-72, Ul Azam et al teach a touch sensitive element can be activated by an user(see figure 2; column 5, lines 5-9 and lines 55-61) and Ide et al teach a touch sensitive element(137, 138) can be activated by a stylus or a finger(see figures 2-3, 5-6 and column 4, lines 49-63).

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5. Claims 26 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Inoue et al, Ide et al(4,707,570) and Larson et al(5,416,313),

UI Azam et al as modified fail to point out the reflector being removed to form a window.

Lason et al teach a rearview mirror system comprising a reflector(28) which has been partially removed from the mirror system(10)(see figures 1-2 and column 3, lines 59-62). It would have been obvious to have modified UI Azam et al as modified with the teaching of Larson et al, so a display information can be presented on a mirror surface(see Lason's figure 2; column 3, lines 62-68 and column 4, lines 1-15).

6. Claims 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Inoue et al and Washizuka et al(4,202,607).

As to claim 49, UI Azam et al as modified fail to disclose the reflecting element having a prismatic reflecting element.

Washizuka et al teach a prismatic reflecting element(32, 40)(see figure 2 and column 3, lines 4-7). It would have been obvious to have modified UI Azam et al as with the teaching of Washizuka et al, since a prismatic reflecting element would be more common and economic than the electrochromic reflecting element.

As to claim 50, Washizuka et al teach the reflector(40) being partially removed to form a window for a display(LCD display)(see figures 1-2; column 2, lines 57-68 and column 3, lines 1-10).

7. Claim 68 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ul Azam et al(5,566,224) in view of Inoue et al Friend et al(6,497,368).

As to claim 68, Ul Azam et al as modified fail to disclose a back-lit touch sensitive element.

As to claim 68, Friend et al(6,497,368) teach a back-light touch sensitive element(137,138) (see figures 1-2 and column 8, lines 27-44). It would have been obvious to have modified Ul Azam et al with the teaching of Friend et al, so a user could still input data in a dark environment(see Ul Azam et al's column 8, lines 34-36).

Conclusion

8. Applicant's arguments with respect to claims 1-85 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

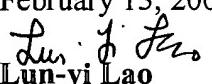
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

February 13, 2004

Lun-yi Lao
Primary Examiner